

02-20-01

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Sheet 1 of 4

TRANSMITTAL FORM FOR FILING PATENT APPLICATION

Attorney Docket No.: CSI-110AX

WEINGARTEN, SCHURGIN, GAGNEBIN & HAYES LLP  
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Express Mail No: EL634464066US

Date: February 16, 2001

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

First Named Inventor or Application  
Identifier: Joseph D. Gresser et al.

Sir:

Transmitted herewith under 37 CFR § 1.53 for filing is the patent application of:

Inventor: Joseph D. Gresser, Debra J. Trantolo, Robert S. Langer,  
Kai-Uwe Lewandrowski, Alexander M. Klibanov, Donald L. Wise

Entitled: **RESORBABLE INTERBODY SPINAL FUSION DEVICES**

☒ This is a request for filing a ☒ **continuation** ☐ **divisional**  
☐ **continuation in-part** application under §1.53(b) of prior Application  
No.09/131,716, filed August 10, 1998, entitled: RESORBABLE INTERBODY SPINAL  
FUSION DEVICES

Enclosed are:

- ☒ 32 pages of written description, claims and Abstract, inclusive
- ☒ 10 sheets of ☐ informal ☒ formal drawings of Figs. 1A-8 (one set)
- ☒ Oath or Declaration
  - ☒ Newly executed (original or copy)
  - ☐ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
  - ☐ To be filed later
- ☒ Cover sheet and Assignment of the invention to: CAMBRIDGE SCIENTIFIC, INC. including a check in the amount of \$40.00
- ☐ Information Disclosure Statement with \_\_\_ citations
- ☐ Preliminary amendment is enclosed.
- ☒ Return receipt postcard
- ☒ Small entity status is entitled to be, and hereby is, asserted for this application.

Attorney Docket No.: CSI-112AX

**TRANSMITTAL FORM FOR FILING PATENT APPLICATION (CONTINUED)**

[ ] Other: \_\_\_\_\_

[X] Priority is claimed under 35 USC § 120 as indicated on the attached sheet 4.

[ ] Priority is claimed under 35 USC §119(a)-(d) as indicated on the attached sheet 4.

[X] Priority is claimed under 35 USC §119 (e) as indicated on the attached sheet 4.

[ ] \_\_\_\_\_ is hereby appointed Associate Attorney by:  
Registration No.:\_\_\_\_\_  
Attorney of Record  
Registration No.:[ ] Power of Attorney in the originally-filed application has been granted to one or more of the registered attorneys listed below. The attorneys listed below not previously granted power in the originally-filed application, as well as \_\_\_\_\_, are hereby given associate power:  
Registration No.:Stanley M. Schurgin, Reg. No. 20,979  
Charles L. Gagnebin III, Reg. No. 25,467  
Paul J. Hayes, Reg. No. 28,307  
Victor B. Lebovici, Reg. No. 30,864Eugene A. Feher, Reg. No. 33,171  
Beverly E. Hjorth, Reg. No. 32,033  
Holliday C. Heine, Reg. No. 34,346  
Gordon R. Moriarty, Reg. No. 38,973  
James F. Thompson, Reg. No. 36,699

[ ] Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee.

[ ] Add in this application claims \_\_\_\_\_ per amendment before calculating fee.

CLAIMS FILED:	MINUS BASE:	EXTRA CLAIMS:	RATE:	BASIC FEE:
				\$710.00
Independent	6 - 3	= 3	x \$80.00 =	\$240.00
Total	34 - 20	= 14	x \$18.00 =	\$252.00
[ ] Multiple Dependent Claims (1st presentation)			+ \$270.00 =	-0-
SUBTOTAL FILING FEE				\$1202.00
Small Entity filing, divide by 2. (Small Entity status must be asserted.)				\$601.00
TOTAL FILING FEE				\$601.00

Attorney Docket No.: CSI-112AX


**TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)**

- ☒ The filing fee has been calculated above; a check in the amount of \$601.00 is enclosed.
- ☐ The filing fee will be submitted at a later date.
- ☒ In the event a Petition for Extension of Time under 37 CFR §1.17 is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under 37 CFR §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

**☒ Customer Number 207**

Address all future communications to:

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Attorney of Record: Holliday C. Heine, Ph.D.  
Registration No. 34,346

Attorney Docket No.: CSI-112AX

**TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)**

[X] Priority is claimed under 35 USC § 120 of prior Application(s)  
No. 09/131,716, filed August 10, 1998, entitled: RESORBABLE INTERBODY  
SPINAL FUSION DEVICES

[X] The above-identified application(s) is/are  
assigned of record to: CAMBRIDGE SCIENTIFIC, INC.

[ ] Priority is claimed under 35 USC § 119 (a)-(d) of the following  
application(s).

_____ (Application Number)	_____ (Country)	_____ (Filing Date)
_____ (Application Number)	_____ (Country)	_____ (Filing Date)
_____ (Application Number)	_____ (Country)	_____ (Filing Date)

[ ] The above-identified application(s) is/are assigned of record to:

[X] Priority is claimed under 35 USC § 119 (e) of the following provisional  
application(s).

<u>60/081,803</u> (Application Number)	<u>April 15, 1998</u> (Filing Date)
<u>60/074,197</u> (Application Number)	<u>February 10, 1998</u> (Filing Date)
<u>60/074,076</u> (Application Number)	<u>February 9, 1998</u> (Filing Date)
<u>60/055,291</u> (Application Number)	<u>August 13, 1997</u> (Filing Date)

[X] The above-identified provisional application(s)  
is/are assigned of record to: CAMBRIDGE SCIENTIFIC, INC.

SUBMIT IN TRIPLICATE  
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